

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In Re:

STUART MICHAELS,

Case No.: 12-70923-ast

Chapter 7

Debtor.

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**ORDER AVOIDING JUDICIAL LIENS**

**WHEREAS**, Stuart Michaels (the “Debtor”) through his counsel, the Law Offices of Marianne J. Gallipoli, Esq. (the “Gallipoli Firm”), filed a Motion dated April 5, 2012 (the Debtor’s Motion”) seeking the entry of an Order under 11 U.S.C. Section 522(f), (1) avoiding the pre-petition judgment liens of: (a) Citibank (South Dakota) N.A.; (b) Discover Bank; (c) Citibank (South Dakota) N.A.; (d) American Express Centurian Bank; and (e) Citibank (South Dakota) N.A., all on the Debtor’s real property which is located at 1395 Bellmore Road, Bellmore, NY 11710 (the “Subject Property”) as impairing the Debtor’s exemption in and to the Subject Property; and (2) directing the Clerk of the County of Nassau to index and record a certified copy of such avoidance Order as an instrument avoiding and canceling said judgment liens; and

**WHEREAS**, the Gallipoli Firm having filed an affidavit of service with this Court, evidencing service of the Debtor’s Motion, and all exhibits thereto, on the Chapter 7 Trustee, the Office of the United States Trustee, all entities whose liens were sought to be avoided under the Debtor’s Motion and their counsel, if known, as well as all parties who filed a request for receipt of notices in this case; and

**WHEREAS**, there were no responses, objections, or opposition asserted or filed to or against the Debtor’s Motion; and

**WHEREAS**, this Court is satisfied, based on the record, and all other documents and papers on file with this Court in connection with this case, that the relief sought in the Debtor's Motion is fair and justified as to all claimants. Therefore, it is hereby

**ORDERED**, that the Debtor's Motion is granted in all respects; and it is further

**ORDERED**, that upon the Debtor's Chapter 7 discharge, the judgment lien obtained in the First District Court Nassau in favor of Citibank (South Dakota) N.A. in the amount of \$4,232.90 which was recorded with the Nassau County Clerk on September 14, 2009, shall be, and hereby is avoided; and it is further

**ORDERED**, that upon the Debtor's Chapter 7 discharge, the judgment lien obtained in the First District Court Nassau in favor of Discover Bank in the amount of \$14,036.48 which was recorded with the Nassau County Clerk on September 25, 2009, shall be, and hereby is avoided; and it is further

**ORDERED**, that upon the Debtor's Chapter 7 discharge, the judgment lien obtained in the First District Court Nassau in favor of Citibank (South Dakota) N.A. in the amount of \$7,716.52 which was recorded with the Nassau County Clerk on November 2, 2009, shall be, and hereby is avoided; and it is further

**ORDERED**, that upon the Debtor's Chapter 7 discharge, the judgment lien obtained in the Supreme Court of the State of New York, County of Nassau in favor of American Express Centurian Bank in the amount of \$17,050.21 which was recorded with the Nassau County Clerk on November 9, 2009, shall be, and hereby is avoided; and it is further


**ORDERED**, that upon the Debtor's Chapter 7 discharge, the judgment lien obtained in the Supreme Court of the State of New York, County of Nassau in favor of Citibank (South Dakota) N.A. in the amount of \$29,300.64 which was recorded with the Nassau County Clerk on

December 29, 2009, shall be, and hereby is avoided; and it is further

**ORDERED**, that upon the Debtor's Chapter 7 discharge, the Clerk of the County of Nassau shall be and hereby is directed to index and record a certified copy of this Order as an instrument avoiding and canceling the aforementioned judgment liens.

**Dated: May 7, 2012**  
**Central Islip, New York**



  
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**Alan S. Trust**  
**United States Bankruptcy Judge**